

108TH CONGRESS  
1ST SESSION

# H. R. 1437

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IN THE SENATE OF THE UNITED STATES

JULY 22 (legislative day, JULY 21), 2003

Received; read twice and referred to the Committee on the Judiciary

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## AN ACT

To improve the United States Code.

1       *Be it enacted by the Senate and House of Representa-*  
2   *tives of the United States of America in Congress assembled,*

1 **SECTION 1. LEGISLATIVE PURPOSE AND CONSTRUCTION.**

2 (a) PURPOSE.—The purpose of this Act is to improve  
3 the United States Code by making necessary technical  
4 changes.

5 (b) NO SUBSTANTIVE CHANGE.—This Act makes no  
6 substantive change in existing law and may not be con-  
7 strued as making a substantive change in existing law.

8 (c) SEVERABILITY.—If a provision enacted by this  
9 Act is held invalid, all valid provisions that are severable  
10 from the invalid provision remain in effect. If a provision  
11 enacted by this Act is held invalid in any of its applica-  
12 tions, the provision remains valid for all valid applications  
13 that are severable from any of the invalid applications.

14 **SEC. 2. TECHNICAL CHANGES IN PUBLIC LAW 107-217.**

15 (a) TECHNICAL CHANGES IN SCHEDULE OF LAWS  
16 REPEALED.—The Schedule of Laws Repealed, which is  
17 contained in section 6(b) of Public Law 107-217 (116  
18 Stat. 1304), is amended as follows:

19 (1) In the item related to the Act of May 29,  
20 1920 (ch. 214, 41 Stat. 642, 654), insert “on p.  
21 654” after “words in par. under heading ‘Inde-  
22 pendent Treasury’”.

23 (2) In the item related to the Act of September  
24 9, 1940 (ch. 717, 54 Stat. 873), strike “3d proviso”  
25 and substitute “last proviso”.

(3) In the item related to the Act of July 5, 1952 (ch. 576, 66 Stat. 385, 400), strike “, proviso on p. 400” (in the Section column), “, 400” (in the Page column), and “, 313–2” (in the U.S. Code column) and insert, immediately below, “578” (in the Chapter or Public Law column), “101 (proviso on p. 400)” (in the Section column), “66” (in the Volume column), “400” (in the Page column), and “313–2” (in the U.S. Code column).

(4) In the item related to the Act of July 31, 1953 (ch. 299, 67 Stat. 290), strike “4th proviso” and substitute “3d proviso”.

(5) In the item related to the Act of June 29, 1956 (ch. 479, 70 Stat. 447), strike “par.” and substitute “proviso”.

(6) In the item related to the Act of August 6, 1973 (Public Law 93–83, 87 Stat. 216), strike “2” (in the Section column) and substitute “2 ‘Sec. 525’”.

(7) In the item related to the Act of March 12, 2002 (Public Law 107–149, 116 Stat. 66), shift to the right one column the matter in the Section, Volume, and Page columns and insert, in the Section column, “1–13”.

(8) Insert the following items:

Schedule of Laws Repealed  
Statutes at Large

Date	Chapter or Public Law	Section	Statutes at Large		U.S. Code (title 40 un- less other- wise speci- fied)
			Vol- ume	Page	
1935 July 8	374 .....	1 (matter classified to 40:26)	49	469 .....	26
1936 Apr. 17	233 .....	1 (matter classified to 40:26)	49	1224 .....	26
1942 Sept. 9	558 .....	1 .....	56	750 .....	174f
	.....	2 .....	56	751 .....	174f note
	.....	3 .....	56	751 .....	174g
	.....	4 .....	56	751 .....	174h
	.....	5 .....	56	751 .....	174i
	.....	6 .....	56	751 .....	174j
	.....	7 .....	56	751 .....	174f note
1943 July 12	215 .....	1 (matter classified to 40:435)	57	425 .....	435
1944 June 28	296 .....	1 (matter classified to 40:435)	58	456 .....	435
1945 May 5	109 .....	1 (matter classified to 40:435)	59	160 .....	435
1946 June 22	445 .....	1 (matter classified to 40:435)	60	292 .....	435
1946 July 30	698 .....	1 .....	60	711 .....	436
	.....	2 .....	60	711 .....	437
	.....	3 .....	60	711 .....	438
	.....	4 .....	60	712 .....	439
1947 July 30	358 .....	306 (matter classified to 40:19 note).	61	584 .....	19 note
1949 June 30	286 .....	201 (matter classified to 40:284).	63	373 .....	284
1950 May 3	152 .....	2 .....	64	98 .....	440
	.....	3 .....	64	99 .....	441
	.....	4 .....	64	100 .....	442
	.....	5 .....	64	100 .....	443
	.....	6 .....	64	100 .....	444
1953 July 30	282 .....	108 .....	67	231 .....	459
1954 July 22	560 .....	101 (related to redesignation of former “Sec. 411” as former “Sec. 412”).	68	518 .....	298a note
	.....	101 (related to new “Sec. 411”).	68	518 .....	356
	.....	102 .....	68	521 .....	357
	.....	103 .....	68	521 .....	356 note
Aug. 2	649 .....	804 .....	68	643 .....	459
1955 July 12	331 .....	(related to redesignation of former “Sec. 412” as “Sec. 413”).	69	297 .....	298a note
	.....	(related to new “Sec. 412”) ....	69	297 .....	356a
Aug. 5	568 .....	101 (matter classified to 40:166b note).	69	515 .....	166b note

Schedule of Laws Repealed—Continued  
Statutes at Large

Date	Chapter or Public Law	Section	Statutes at Large		U.S. Code (title 40 un- less other- wise speci- fied)
			Vol- ume	Page	
	.....	101 (matter classified to 40:166b-1).	69	515 .....	166b-1
1956 June 27	452 .....	201 (matter classified to 40:459 note).	70	353 .....	459 note
July 9	525 .....	1 .....	70	510 .....	356
1957 July 1	85-75 ...	101 (matter classified to 40:166b-1).	71	251 .....	166b-1
1961 Aug. 10	87-130 ..	101 (matter classified to 40:166b-1).	75	329 .....	166b-1
1965 Mar. 9	89-4 .....	203 .....	.....	.....	40 App.:203
	.....	204 .....	.....	.....	40 App.:204
	.....	205 .....	.....	.....	40 App.:205
1976 Oct. 18	94-541 ..	101 .....	90	2505 .....	601 note
	.....	102 .....	90	2505 .....	601a
	.....	103(1), (2) .....	90	2505 .....	606
	.....	103(3) (related to “Sec. 12(d)”).	90	2506 .....	611
	.....	103(3) (related to “Sec. 12(e)”).	90	2506 .....	490
	.....	103(3) (related to “Sec. 12(c)”).	90	2506 .....	611
	.....	104 .....	90	2506 .....	490
1979 Oct. 12	96-86 ....	101(e) [H.R. 4390, title I (matter classified to 40:166a)].	93	657 .....	166a
1990 Nov. 5	101-509	625 .....	104	1476 .....	490b note
1991 Oct. 28	102-141	604 .....	105	868 .....	490b note
1992 Oct. 6	102-393	604 .....	106	1766 .....	490b note
1993 Oct. 28	103-123	603 .....	107	1259 .....	490b note
1994 Sept. 30	103-329	603 .....	108	2416 .....	490b note
1995 Nov. 19	104-52 ..	603 .....	109	497 .....	490b note
1996 Sept. 30	104-208	101(f) [title VI, § 603] .....	110	3009- 353.	490b note
1997 Oct. 10	105-61 ..	603 .....	111	1308 .....	490b note

## Revised Statutes

Revised Statutes Section	United States Code	
	Title	Section
355 .....	40	255
1797 .....	40	19
1800 .....	40	45
1801 .....	40	48
1802 .....	40	54
1803 .....	40	56
1804 .....	40	57
1805 .....	40	55
1807 .....	40	46
1808 .....	40	47
1809 .....	40	49
1810 .....	40	51
1811 .....	40	52
1812 .....	40	50
1818 .....	40	66
1819 .....	40	192
1830 .....	40	102
1835 .....	40	221
3750 .....	40	301
3751 .....	40	306
3752 .....	40	305
3753 .....	40	308
3754 .....	40	309
3755 .....	40	310

1           (b) REVIVAL OF CERTAIN PROVISIONS.—Section 6(b)  
2 of Public Law 107–217 (116 Stat. 1304) is repealed inso-  
3 far as it relates to the provisions listed below, and the pro-  
4 visions listed below are revived to read as if section 6(b)  
5 had not been enacted:

6           (1) Section 1(a) of the Act of June 30, 1949  
7 (ch. 288, 63 Stat. 377).

8           (2) Section 509(b) of the Department of Edu-  
9 cation Organization Act (Public Law 96–88, 93  
10 Stat. 695).

11           (3) Public Law 101–427 (104 Stat. 927).

12           (4) Section 7306 of the Federal Acquisition  
13 Streamlining Act of 1994 (Public Law 103–355,  
14 108 Stat. 3384).

1 **SEC. 3. TECHNICAL CHANGES IN TITLE 40, UNITED STATES**

2 **CODE.**

3 Title 40, United States Code, is amended as follows:

4 (1) In section 3304(b), insert “, by purchase,  
5 condemnation, donation, exchange, or otherwise,”  
6 after “may acquire”.

7 (2) In section 5107, strike “5105, 5105” and  
8 substitute “5105, 5106”.

9 **SEC. 4. CONFORMING CROSS-REFERENCES.**

10 (a) TITLE 5.—In section 5334(a) (matter after cl.  
11 (7)) of title 5, United States Code, strike “section 106(2)  
12 of the Appalachian Regional Development Act of 1965 (40  
13 U.S.C. App.)” and substitute “section 14306(a)(2) of title  
14 40”.

15 (b) TITLE 10.—Title 10, United States Code, is  
16 amended as follows:

17 (1) In section 2194(b)(2)—

18 (A) insert “subtitle I of title 40 and title  
19 III of” before “the Federal”; and

20 (B) strike “(40 U.S.C. 471 et seq.)” and  
21 substitute “(41 U.S.C. 251 et seq.)”.

22 (2) In section 2225(b)(9), strike “sections 5122  
23 and 5123 of the Clinger-Cohen Act of 1996 (40  
24 U.S.C. 1422, 1423)” and substitute “sections 11312  
25 and 11313 of title 40”.

1           (3) In section 2305a(c)(1), strike “the Brooks  
2 Architect-Engineers Act (40 U.S.C. 541 et seq.)”  
3 and substitute “chapter 11 of title 40”.

4           (4) In section 2667(b)(5), as amended by sec-  
5 tion 3(b)(12)(B) of Public Law 107–217 (116 Stat.  
6 1296), strike the comma appearing after “of title  
7 40”.

8           (5) In section 4553(d), strike “Section 321 of  
9 the Act of June 30, 1932 (40 U.S.C. 303b),” and  
10 substitute “Section 1302 of title 40”.

11           (6) In section 7422(c)(1) (matter after cl. (D)),  
12 strike “lands’ within the meaning of that Act” and  
13 substitute “land’ within the meaning of those sec-  
14 tions”.

15           (7) In section 9781(g), as amended by section  
16 3(b)(40)(C) of Public Law 107-217 (116 Stat.  
17 1298)—

18                 (A) strike “subtitle III of the Federal  
19 Property and Administrative Services Act of  
20 1949” and substitute “title III of the Federal  
21 Property and Administrative Services Act of  
22 1949”; and

23                 (B) strike “. (41 U.S.C. 251 et seq.)” and  
24 substitute “(41 U.S.C. 251 et seq.).”.



1 (c) TITLE 13.—In section 15 of title 13, United  
2 States Code, strike “; 40 U.S.C. 278a”.

3 (d) TITLE 23.—In section 104(a)(1) of title 23,  
4 United States Code, strike “section 201 of the Appa-  
5 lachian Regional Development Act of 1965 (40 U.S.C.  
6 App.)” and substitute “section 14501 of title 40”.

7 (e) THE INTERNAL REVENUE CODE OF 1986.—In  
8 section 7608(c)(1)(A)(i)(IV) of the Internal Revenue Code  
9 of 1986 (26 U.S.C. 7608(c)(1)(A)(i)(IV)), as amended by  
10 section 3(f) of Public Law 107–217 (116 Stat. 1299),  
11 strike “title 40” and substitute “title 40, United States  
12 Code”.

13 (f) TITLE 31.—Title 31, United States Code, is  
14 amended as follows:

15 (1) In section 1105(g)(2)(B)(ii), as amended by  
16 section 3(h)(3) of Public Law 107–217 (116 Stat.  
17 1299), insert “section” before “1102 of title 40”.

18 (2) In section 9303(d)(1), as amended by sec-  
19 tion 3(h)(9)(B)(i) of Public Law 107–217 (116 Stat.  
20 1300), strike the comma appearing after “sections  
21 3131 and 3133 of title 40”.

22 (g) TITLE 35.—In section 2(b)(4)(A) of title 35,  
23 United States Code, strike “the Federal Property and Ad-  
24 ministrative Services Act of 1949 (40 U.S.C. 471 et seq.),  
25 the Public Buildings Act (40 U.S.C. 601 et seq.),” and

1 substitute “subtitle I and chapter 33 of title 40, title III  
2 of the Federal Property and Administrative Services Act  
3 of 1949 (41 U.S.C. 251 et seq.),”.

4 (h) TITLE 36.—Section 2113 of title 36, United  
5 States Code, is amended as follows:

6 (1) In subsection (a)(2), strike “(40 U.S.C.  
7 1003 note)” and substitute “(40 U.S.C. 8903  
8 note)”.

9 (2) In subsection (c)(1), strike “section 8(b) of  
10 the Commemorative Works Act (40 U.S.C.  
11 1008(b))” and substitute “section 8906(b) of title  
12 40”.

13 (3) In subsection (e), strike “section 8 of the  
14 Commemorative Works Act (40 U.S.C. 1008)” and  
15 substitute “section 8906 of title 40”.

16 (4) In subsection (h)—

17 (A) strike “section 10 of the Commemora-  
18 tive Works Act (40 U.S.C. 1010)” and sub-  
19 stitute “section 8903(e) of title 40”; and

20 (B) strike “(40 U.S.C. 1003 note)” and  
21 substitute “(40 U.S.C. 8903 note)”.

22 (i) TITLE 38.—Title 38, United States Code, is  
23 amended as follows:

24 (1) In section 8162(a)(3), as amended by sec-  
25 tion 3(j)(5)(B) of Public Law 107–217 (116 Stat.

1       1301), strike the comma appearing after “of title  
2       40”.

3           (2) In section 8165(c), as amended by section  
4       3(j)(6) of Public Law 107–217 (116 Stat. 1301),  
5       strike the comma appearing after “of title 40”.

6       (j) TITLE 39.—Section 410(d) of title 39, United  
7       States Code, is amended as follows:

8           (1) In paragraph (1), strike “section 276a of  
9       title 40” and substitute “section 3142 of title 40”.

10          (2) In paragraph (2), strike “section 276c of  
11       title 40” and substitute “section 3145 of title 40”.

12       (k) TITLE 49.—In section 40110(d)(2) of title 49,  
13       United States Code—

14           (1) strike clause (G);

15           (2) redesignate clause (H) as clause (G); and

16           (3) in clause (G) as redesignated, strike “sub-  
17       paragraphs (A) through (G)” and substitute “sub-  
18       paragraphs (A) through (F)”

1 **SEC. 5. EFFECTIVE DATE.**

2        This Act and amendments and repeals made by this  
3 Act are effective August 21, 2002.

Passed the House of Representatives July 21, 2003.

Attest: **JEFF TRANDAH**,  
*Clerk.*